

Application No. 09/464,348
Amendment "D" dated October 19, 2004
Reply to Office Action mailed July 20, 2004

REMARKS

The final Office Action, mailed July 20, 2004, considered claims 1, 9-12 and 33-45. Claims 1, 9-12 and 33-45 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Thurlow (U.S. Patent No. 5,917,489) in view of Gainey (U.S. Publication No. 2002/0099681)¹.

By this paper, claims 1 and 7, the only independent claims at issue have been amended, while claims 46 and 47 have been added, such that claims 1, 9-12 and 33-47 remain pending.

The claims have been amended to more clearly recite embodiments of the invention in which the priority of a user-created command can be set to either augment or bypass standard default commands. Support for these claim amendments is found throughout the specification, including, but not limited to page 16.

As reflected above, the claims are directed to methods and corresponding computer program products for extending a standard Internet protocol to allow for the ability to customize messaging operations performed on an electronic message without deviating from the protocol specification. The recited claims include storing a standard command based on a standard Internet protocol that has an assigned priority; storing a user-created command based on extensions of the standard Internet protocol for manipulating the message; assigning a user-defined priority to the user-created command relative to an assigned priority of the standard command, wherein assigning any user-defined priority to the user-created command lower than the assigned priority of the standard command causes the standard command to be executed with the user-created command, such that the user-created command augments the standard command, and wherein assigning any user-defined priority to the user-created command higher

¹ Although the prior art status of the cited art is not being challenged at this time, Applicants reserve the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

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than the assigned priority causes the user-created command to bypass the standard command, and such that the user-created command is executed without the standard command being executed; and executing at least one of the standard command and the user-created command according to the assigned priority.

One benefit of enabling a user to set the priority of the registered user-defined commands, as disclosed in the specification, is that this type of prioritization can allow the user-defined commands to augment and bypass standard default commands, thereby enabling a user to add or remove features of an email system to create a full-featured, individually customized email system. (p. 9, ll. 2-8; p. 16, ll. 17-19). Furthermore, one benefit of enabling a user to set the priority after the user-created command is registered in the databases is that it allows the user to subsequently define and modify the level of priority for a given command. (p. 16, ln. 11).

Gainey was used by the Examiner for the proposition of teaching the assignment of priorities to rules. However, Gainey actually appears to teach away from assigning priorities to commands and executing the commands in the manner recited in the claims.

For example, in contrast to the claimed embodiments, Gainey teaches that the priority for determining the order in which rules are implemented is uncertain and may only possibly be dependent upon a rule's position or order of placement within a rule's list. ¶ [0034], [0044]. Accordingly, Gainey's priority is not truly user-defined inasmuch as some rules automatically take priority over the list of customized rules, regardless of the placement of the rules in the list. Gainey also clearly states that some rules "take priority over order." ¶ [0044]; see also ¶'s [0034], [0045]-[0051]).

Accordingly, Gainey clearly fails to teach that the commands are executed in order of assigned priority, as claimed (by augmenting the standard command with the user-created

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command so that both are executed when any priority assigned to the user-created command is less than that of the standard command, and by bypassing (not-executing) the standard command when any priority assigned to the user-created command is greater than that of the standard command).

Gainey and Thurlow also fails to suggest or disclose modifying an assigned priority, as recited in new claims 46 and 47. Instead, Gainey merely teaches that the priority, if any, is assigned during creation of a rule. (¶ [038])

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 19 day of October 2004.

Respectfully submitted,



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